



## Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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### RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT

WEDNESDAY, MARCH 25, 2015

**Members present:** Patrick Dwyer, Tony Pellegrino, Richard Conescu, and Alternate Leonard Worster.

**Members absent:** Fran L'Heureux and Lynn Christensen

**Staff present:** Planning and Zoning Administrator Jillian Harris and Recording Secretary Zina Jordan.

**1. Call to Order.**

*Tony Pellegrino called the meeting to order at 7:00 p.m. and designated Leonard Worster to sit for Fran L'Heureux.*

**2. Roll Call.**

*Rich Conescu led the pledge of allegiance, Patrick Dwyer read the preamble, and Tony Pellegrino swore in members of the public who would be testifying.*

- 3. 429 DW Highway LLC. (petitioner/owner)** – Variances under Section 2.02.13.E(4)(b) and Section 2.02.13.E(4)(c) of the Zoning Ordinance to permit the construction of a three-car garage 2.3 ft. from the side property line whereas 15 ft. is required and 5 ft. from the rear property line whereas 40 ft. is required. The parcel is located at 427 Daniel Webster Highway in the C-2 (General Commercial) District and Elderly, Aquifer Conservation, and Town Center Overlay Districts. Tax Map 5D-4, Lot 076. Cases # 2015-09 and 2015-10.

*Applicant was represented by: Chad Branon, Project Manager, Fieldstone Land Consultants, PLLC.*

*Public comment was received via email from: Gary Bruggemann, 12 Liberty Lane, West Yarmouth, MA.*

*The Board voted 4-0-0 to grant the Variance for the side yard setback, with one condition, on a motion made by Patrick Dwyer and seconded by Richard Conescu.*

*The Board voted 4-0-0 to grant the Variance for the rear yard setback, with one condition, on a motion made by Patrick Dwyer and seconded by Richard Conescu.*

- 4. 526 DW LLC. (petitioner/owner)** – Variance under Section 2.02.3.B of the Zoning Ordinance to permit an industrial use (light manufacturing) in the C-2 (General Commercial) District and Elderly, Aquifer Conservation, and Wellhead Protection Overlay Districts. The parcel is located at 526 Daniel Webster Highway. Tax Map 5D-2, Lot 001. Case 2015-11.

*Applicant was represented by: Eric C. Mitchell, Eric C. Mitchell & Associates, Inc.*

*There was no public comment.*

*The Board voted 4-0-0 to grant the Variance, with conditions, on a motion made by Richard Conescu and seconded by Patrick Dwyer.*

**5. Discussion/possible action regarding other items of concern.**

*None.*

**6. Approval of Minutes – February 25, 2015.**

*The minutes of February 25, 2015, were approved, with one change, by a vote of 3-0-1, on a motion made by Richard Conescu and seconded by Patrick Dwyer. Tony Pellegrino abstained.*

**7. Adjourn.**

*The meeting adjourned at 7:45 p.m., by a vote of 4-0-0, on a motion made by Leonard Worster and seconded by Patrick Dwyer.*